



The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner  
January 26, 2006

The Honorable Gene G. Chandler, Chairman  
Public Works & Highways Committee  
Legislative Office Building - Room 201  
Concord, NH 03301

**RE: House Bill 1684 Establishing A Commission To Study The Effects Of Leasing State-Owned Waterfront Property And Placing A Moratorium On The Leasing Of State-Owned Waterfront Property**

Dear Chairman Chandler:

Thank you for the opportunity to comment on this bill which establishes a commission to study the effects of leasing state-owned waterfront property and establishes a moratorium on the leasing of state-owned waterfront property managed by the Department of Transportation. While the proposed moratorium would not affect the existing leasing programs of the Department of Environmental Services (DES), we would like to make the Committee aware of the extent to which DES leases state-owned waterfront property.

DES currently manages approximately 9,500 acres of land throughout the state. Much of this land is waterfront property associated with the 113 dams that DES owns and operates. To achieve the greatest public benefit from this land, DES actively seeks opportunities to jointly manage the land with local communities. Under these mutually-beneficial partnerships, DES leases the property to the community for little or no cost. In return, the community constructs recreational or other municipal facilities on the property, consistent with the state's interest in the property, and assists with the operation and maintenance of the property. The following are recent examples of these successful partnerships:

- In Deering, DES leases state-owned land on the Deering Reservoir to the town, and the town has constructed a public beach, a public boat launch, and public picnic area on the property. The town maintains and provides security for the area.
- In Wakefield, the town has constructed a public beach on State-owned land on Lovell Lake, and has assumed responsibility for the maintenance of the area.
- In Milton Mills, DES has worked cooperatively with the town to construct and operate a park on state-owned land at the Waumbek Dam. DES has completed much of the construction and has performed some of the maintenance of the landscaping, while the town monitors the area, provides law enforcement, and removes trash.

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- In Canaan, DES owns a public boat launch and picnic area on Goose Pond. Through an agreement with the local lake owners association, the Department shares the cost for portable toilet facilities at the site. In return, the town maintains and provides for trash removal, and the local police patrol the site.
- In Strafford, DES has an agreement with the town that permits swimming and recreation on property near the State-owned dam. The town mows the grass in the area, enforces the safety rules, and keeps the area free from litter and vandalism. In addition, the community garden group has adopted the site for a beautification project.

In addition to these community partnerships, DES leases out some of its property in Pittsburg and Clarksville as private residential lease lots, as specified under RSA 481:3-a, with terms of five years and fees of \$1,000 per year. Also, at several of our reservoirs, such as Goose Pond in Enfield and near Lochmere Dam in Tilton and Belmont, where we own, in fee, land around the reservoirs that is subject to flowing, we lease that land to abutting property owners at a rate of \$2.50 per foot to allow them to erect a dock for their personal use. These leasing programs benefit the community at large by creating a use on state-owned land that is then subject to the levy of local property taxes, thereby contributing to the economic vitality of the communities.

If this bill is enacted, DES would welcome the opportunity to work with the commission to share our experiences with our leasing programs and identify changes that might improve the process under which we lease state-owned waterfront property.

If there are any questions regarding this testimony, please contact either me at 271-3503 or Jim Gallagher at 271-1961.

Very truly yours,

  
Michael P. Nolin  
Commissioner

cc: Representative Alida I. Millham  
Senator Carl R. Johnson